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FILED IN THE
UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII

JAN 03 2006
at 8 o'clock and 159 min. M
SUE BEITIA, CLERK

Attorney for Plaintiff
WAYNE BERRY

ORIGINAL

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

WAYNE BERRY, a Hawaii citizen;
Plaintiff,
vs.
HAWAIIAN EXPRESS SERVICE,
INC., a California corporation; et al.
Defendants.

) Civ. No. CV03 00385 SOM-LEK
(Copyright)
)
) **NOTICE OF MOTION;**
) **PLAINTIFF WAYNE BERRY'S**
) **MOTION IN LIMINE TO**
) **EXCLUDE EXPERT TESTIMONY**
) **OF JEFFREY KINRICH**
) **REGARDING MATTERS NOT**
) **CONTAINED IN HIS EXPERT**
) **REPORT; DECLARATION OF**
) **TIMOTHY J. HOGAN; EXHIBIT**
) **"A"; CERTIFICATE OF SERVICE**
)
) Hearing:
) DATE: January 20, 2006 *Van*
) TIME: 2:00 p.m.
) JUDGE: Hon. Susan Oki Mollway
)
) Trial Date: January 24, 2006

NOTICE OF HEARING

TO: LEX R. SMITH, ESQ.
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NOTICE IS HEREBY GIVEN that Plaintiff Motion In Limine to Exclude
Expert Testimony of Jeffrey Kinrich Regarding Matters Not Contained in His
Expert Report shall come on for hearing before the Honorable Susan Oki
Mollway, United States District Judge of the above-entitled Court, in her
courtroom in the United States District Court, 300 Ala Moana Boulevard,

Honolulu, Hawaii 96813 on January 20, 2006 at 2:00 p.m., or as soon thereafter as counsel can be heard.

Dated: Honolulu, Hawaii, JAN 3 2006.



TIMOTHY J. HOGAN
Attorney for Plaintiff
WAYNE BERRY